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BEFORE THE ARIZONA CORPORATION COMMISSION

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BOB STUMP

AZ CORP COMMISSION
DOCKET CONTROL

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION
OF THE TOWN OF SAHUARITA TO
UPGRADE AN EXISTING CROSSING OF
THE UNION PACIFIC RAILROAD ON
RANCHO SAHUARITA BOULEVARD, AT
PIMA MINE ROAD, IN THE TOWN OF
SAHUARITA, PIMA COUNTY, ARIZONA,
DOT CROSSING NO. 742177R.

DOCKET NO. RR-03639A-09-0282

AFFIDAVIT OF PUBLICATION

Arizona Corporation Commission

DOCKETED

AUG 11 2009

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ARIZONA CORP. COMM
400 W CONGRESS STE 218 TUCSON AZ 85701

GREEN VALLEY
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Pamela K. Mox
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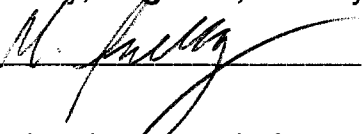
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This affidavit is to verify that a **PUBLIC NOTICE AD --**

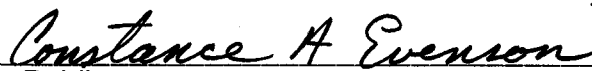
**NOTICE OF PUBLIC HEARING TO UPGRADE AN EXISTING CROSSING OF
THE UNION PACIFIC RAILROAD ON RANCHO SAHUARITA BOULEVARD AT
PIMA MINE ROAD**

was placed in the *Green Valley News and Sun* on **July 8, 2009** at the request of the
Town of Sahuarita.

Sworn this day, **August 6, 2009** by Mark Schultz, Advertising Representative.

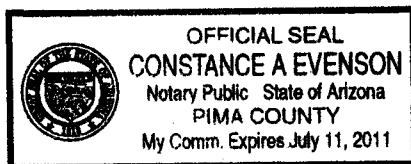


Subscribed and sworn to before me this **6th** day of **August, 2009**.



Notary Public

My Commission Expires: July 11, 2011



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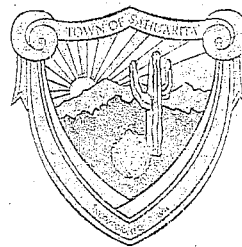
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**PUBLIC NOTICE OF THE HEARING IN THE MATTER
OF THE APPLICATION OF THE TOWN OF SAHUARITA
TO UPGRADE AN EXISTING CROSSING OF
THE UNION PACIFIC RAILROAD ON RANCHO
SAHUARITA BOULEVARD, AT PIMA MINE ROAD, IN
THE TOWN OF SAHUARITA, PIMA COUNTY,
ARIZONA, DOT CROSSING NO. 742177R,
(DOCKET NO. RR-03639A-09-0282)**

On June 2, 2009, the Town of Sahuarita ("Town") filed with the Arizona Corporation Commission ("Commission") an application for approval to upgrade an existing at-grade railroad crossing of the Union Pacific Railroad ("Railroad") on Rancho Sahuarita Boulevard, at Pima Mine Road, by installing flasher signals and gates on the median and edge of the roadway, a cantilever for the northbound direction, railroad pavement markings and crossing signs, and simultaneous preemption with the signal and pre-signal to be installed at Pima Mine Road. The crossing is DOT Crossing No. 742177R and is located within the Town, in Pima County, Arizona.

The Railroad Safety Section of the Commission's Safety Division ("Staff") is in the process of analyzing the application and has not yet made any recommendations in this matter. The Commission will determine whether to grant the application based on the evidence of record in this matter. The Commission is not bound by the proposals made by the Town, the Railroad, Staff, or any intervenors.

Copies of the application and the other documents filed in this matter are available at the Commission's Docket Control Center at 1200 West Washington Street, Phoenix, Arizona, for inspection during regular business hours, and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

The Commission will hold a **hearing** in this matter beginning on **August 12, 2009, at 10:00 a.m.**, in Room 100 at the Commission's offices at 1200 West Washington Street, Phoenix, Arizona. Public comments will be taken on the first day of the hearing. Written public comments may be submitted by mailing an original and 13 copies of a letter referencing Docket No. RR-03639A-09-0282 to the Commission's Docket Control Center, 1200 West Washington Street, Phoenix, Arizona 85007.

Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you desire to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission's Docket Control no later than **July 31, 2009**. You must send a copy of the motion to intervene to the Town or its counsel and to all parties of record. Your motion to intervene must contain the following:

1. Your name, address, and telephone number and the name, address, and telephone number of any person upon whom service of documents is to be made, if not yourself;
2. A short statement of your interest in the proceeding (e.g., a customer of the Railroad, a neighboring property owner, a crossing user, etc.); and
3. A statement certifying that you have mailed a copy of the motion to intervene to the Town or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that **all motions to intervene must be filed on or before July 31, 2009**. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor's obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <http://www.azcc.gov/divisions/utilities/forms/interven.pdf>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. **However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the docket for the case.**

If you have any questions about the application, you may contact the Town at **520-344-7100**.

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter and request this document in an alternative format by contacting the ADA Coordinator, Guadalupe Ortiz, at gortiz@azcc.gov, voice phone number 602-542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.